Option 4 - REQUEST HEARING IN ABSENTIA

IF YOU LIVE OUTSIDE THE STATE OF ARIZONA OR HAVE A SUBSTANTIAL HARDSHIP which prevents you from physically attending a hearing <u>AND</u> you wish to plead **not responsible** for the violation(s), you may qualify for a Hearing in Absentia pursuant to Rule 10 Civil Traffic Rules. This will allow you to file a written declaration of the facts surrounding the violation rather than appear in person at a hearing. The written request for a Hearing in Absentia **must** be received prior to your appearance date.

HEARING IN ABSENTIA INSTRUCTIONS

1.To receive the Request Form, read and sign the following statement: I believe that I qualify for a Hearing in Absentia and would like to receive the Request Form. (Forms are also located on our website at www.scottsdaleaz.gov/courts).

Signature
Parent's Signature (required if you are under 18 years old)

2. Write the traffic complaint number below:

_ . _ . _ . _ . _ . _ . _ . _ . _ . _

POSTING A BOND. A bond is not required. By posting a bond, you will eliminate any requirement to pay the mandatory \$20 Time Payment Fee if you are found responsible and are unable to pay on the hearing date. The bond amount is equal to the total fine for the violation(s) on your traffic complaint.

FINE SCHEDULE

Listed below are VIOLATION CODES with fine amounts including Mandatory State surcharges and assessments. If payment is **NOT RECEIVED** by the court date on your ticket, a \$20 Time Payment Fee per case, plus an additional \$50 Default Fee on <u>each civil</u> charge will be imposed.

VIOLATIONS ELIGIBLE FOR DEFENSIVE DRIVING SCHOOL

Violation Code	Amount
28-644A1& A2	\$210
28-645A, 1A, A1B & 28-645C	\$210
28-645A3A , A3B, A3C & 28-645B	\$258
28-647.1 & 28-647.2	\$210
28-651	\$210
28-701A & 702.01C	
Up to 9 mph over speed limit	\$210
10-15 mph over speed limit	\$219
16-20 mph over speed limit	\$239
21-29 mph over speed limit	\$297
30-39 mph over speed limit	\$334
40+ mph over the speed limit	\$396

28-701.02A1 thru 28-701.02A3 MUST APPEAR IN COURT

28-701E	\$210
28-704A to 28-706B	\$210
28-709A1 & A2; 28-710A & B	\$210
28-721A to 28-776A (except 28-737A)	\$210
28-737A	\$426.45
28-792A & B; 28-794.1 to 28-794.3	\$210
28-797F & G	\$219
28-797H & I	\$305.64

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FINE SCHEDULE CONT'D

28-815D	\$210
28-855B to 28-856.3	\$210
28-857 (first offense)	\$554
28-891A to 28-897	\$210
28-906	\$210

Note: See Defensive Driving School restrictions Option 1, Page 2.

VIOLATIONS NOT ELIGIBLE FOR DEFENSIVE DRIVING SCHOOL

Amount
\$210
\$210
\$210
LATIONS
\$177
\$177
TIONS
\$174
\$609.45
\$609.45
\$174
\$174
\$609.45
\$174
\$ 78.75
\$250
\$177
\$177

A.R.S. 28-645A3A – Red-Light Violations: Persons found responsible or entering a plea of responsible for red-light traffic control signals, including flashing stop signals violations, will be ordered by the Motor Vehicle Division to attend and successfully complete Traffic Survival School or suffer suspension of driving privileges.

A.R.S. 28-2532A – No Vehicle Registration: \$609.45. Mail or provide proof of current registration for reduced fine of \$151.95.

A.R.S. 28-3169A – No Drivers License in Possession: Dismissed upon proof of driver license valid on the date and time of the violation. Provide a copy of **both front and back** of your driver license.

A.R.S. 28-907A – Child Passenger Restraint: If you have been cited for "failure to use", the fine is \$151.95. However, if you attend CAPP (Children Are Priceless Passengers) program, the fine will be suspended with proof of completion. Call the court for further information.

A.R.S. 28-4135A,B, & C – No Proof of Insurance: \$1,015.00 fine for a 1st offense. If you provide proof on or before your appearance date showing that the vehicle involved was insured on the **DATE** & **TIME** the complaint was issued, the charge will be dismissed. For more information on Mandatory Insurance violations, please go to the following link: www.scottsdaleaz.gov/courts/civil.asp

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SCOTTSDALE CITY COURT 3700 N. 75th Street Scottsdale, Arizona 85251 (480) 312-2442

Effective 08/01/12

ver. 8_22_12



You can obtain case specific information such as next court date and fine amounts as well as pay your fine by telephone at (480) 312-2442 or online at www.scottsdaleaz.gov/courts

You have just received a traffic complaint and this document will explain your options. Please read this document thoroughly. Be sure to read both sides of your traffic complaint. You must respond to the court in person or, if eligible, use the options below, **on or before** the date and time indicated on your traffic complaint.

Your traffic complaint has a check box in the lower right section above your signature. If the **Criminal** box is checked, you **MUST** appear in court on your court date.

NO FOOD, DRINK, OR WEAPONS OF ANY TYPE ARE AL-LOWED IN THE COURT BUILDING.

If the check box in the lower left section above your signature is checked Civil, you have received a civil traffic complaint and your options are detailed within this document. You may choose one of four options, or you may appear on or before the date and time shown on your civil traffic complaint to resolve your case. If you have multiple violations on your civil traffic complaint, you will need to indicate your choice for each violation.

⇒ Option 1 – Attend Defensive Driving School

If you are eligible, and you attend, the eligible traffic violation will be dismissed and no points will be placed on your record. You will only pay an enrollment fee to the school. <u>Do not pay</u> the court fine. *See Page 2*.

⇒ Option 2 – Pay by Telephone, Online or Mail

Waive your right to a hearing, enter a plea of responsible, and pay the fine. You do not have to appear in court. Payment must be received by the court prior to your court date. We suggest allowing at least 5 days for mailed payment. Payment can be made online at www.scottsdaleaz.gov/courts or by phone at (480) 312-2442. See Page 3.

⇒ Option 3 – Request a Hearing

At your hearing, you may bring witnesses and you will have the opportunity to present your case before a judge. Once the hearing begins, you can no longer attend Defensive Driving Class and if you are found responsible, ALL FINES ARE DUE IN FULL at the conclusion of your hearing. See Page 4

⇒ Option 4 – Request a Hearing In Absentia

If you are eligible, you may request and receive a hearing that will allow written testimony in lieu of a mandatory court appearance. See Page 5.

Option 1- ATTEND DEFENSIVE DRIVING SCHOOL

Attending defensive driving school provides the opportunity to have **one** eligible charge (see page 6) dismissed without: going to court; points assessed for that charge; negative impact on your insurance; and paying a fine for that charge. If you receive an extension for attending school, that extension is only for the eligible charge. You must appear in court or pay the fine(s) for any additional charge(s) on your citation on or within ten days of your appearance date.

You are eligible to attend a defensive driving class if you meet all of the following requirements:

- 1. You have not attended a Defensive Driving Class in Arizona for dismissal of a traffic charge within two years from the previous violation date to the current violation date.
- Your traffic charge did not result from an accident involving death or serious physical injury.
- Your traffic charge has not already been set to a hearing.
- A commercial driver license holder or a driver of a commercial motor vehicle that requires a commercial driver license is not eligible for the defensive driving diversion program. (A.R.S. \$28-3392).

WHAT TO DO:

- 1. If you wish to attend a class; in Arizona, in another state, or online you may do so by contacting a school certified by the State of Arizona.
- 2. To find a certified school either:

Visit http://www.azdrive.com and look for Defensive Driving School Entry Point and click on Scottsdale City Court.

Call the Defensive Driving School information line at 1-888-334-5565 (automated response only).

- 3. You must complete the online program or attend a class 7 days **prior** to your next court date.
- 4. Once registered, if you need more time to complete the class, the school can grant a one time, 45 day extension. If you need additional extensions, you will need to contact the court in person.

FAILURE TO COMPLETE THE DEFENSIVE DRIVING CLASS MAY RESULT IN A DEFAULT JUDGMENT, AND/ OR YOUR DRIVER LICENSE SUSPENSION AND ADDI-TIONAL MONETARY PENTALTIES.

Option 2 - PAY BY MAIL, TELEPHONE, OR ONLINE

1. **READ AND SIGN** the following statement: I hereby waive my right to a hearing, enter a plea of responsible, and consent to judgment imposing the prescribed fine: Signature Parent's Signature (required if less than 18) Write the traffic complaint number below

2. See fine schedule on page 5 & 6 for fine amount; list amount in Fine Amount column. If your court date has passed, add the Default Cost of \$50 per charge, and the additional \$20 Time Payment Fee. The court date is above your signature on the complaint. Pay the Grand Total amount under the Total Fine column. Do not send cash.

FINE	\$50 Default	Lotal Fine
(1	per charge if applical	ble)
Charge 1 \$	\$50.00	\$
Charge 2 \$	\$50.00	\$
Charge 3 \$	\$50.00	\$
Charge 4 \$	\$50.00	\$
Charge 5 \$	\$50.00	\$
\$20 Time Payment	Fee, if applicable	\$
GRAND TOTAL		\$

3. How to pay: Check, money order, or cashier's check made payable to Scottsdale City Court. Pay by phone (480) 312-2442 or online at www.scottsdaleaz.gov/courts.

VISA American Express	MasterCard Discover
Card Number	
Expiration Date	
Cardholder's Name	
Signature	

Credit Card Payment: Complete the following information:

Place this sheet with your payment, along with your complaint or a copy, in the envelope provided, stamp and mail.

Daytime phone

ALL PAYMENTS MUST BE RECEIVED BY THE COURT DATE. FAILURE TO DO SO MAY RESULT IN A DEFAULT JUDG-MENT AND DRIVER LICENSE SUSPENSION WITH ADDITION-AL MONETARY PENALTIES BEING IMPOSED.

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Option 3 - REQUEST A HEARING

1. READ AND SIGN the following statement:

I hereby request a hearing to contest the charges indicated below.
hereby enter my plea of not responsible. I understand that I am
giving up the option of attending a Defensive Driving Class for
those charges for which I have requested a hearing.

by

		charges	for whic	h I have	requeste	ed a hear	ing.		
Sign	natui								-
Pare	ent's	Signatu	re (requi	red if les	s than 18	3)			-
pare	ent o	r guardia	e age of an. complair		_	court mu	st be acc	ompanie	ed by
]
1 3. P	rint	the follo	w, the charun verti	cally do	wn the le	offt side o	f the con	nplaint.	ring.
			ne ()						
4. C	heck	k if appli will be i		ted by an				_	

5. Place this sheet, along with your complaint or a copy, in the envelope provided, stamp and mail at least five working days before your court date.

(Language)

You will be notified of your assigned hearing date by mail. You must appear on that date and be ready to present evidence and examine witnesses in front of a Hearing Officer.

YOU MUST BE PREPARED TO PAY ANY FINE IMPOSED THE DAY OF YOUR HEARING. FAILURE TO APPEAR MAY RESULT IN A DEFAULT JUDGMENT AND DRIVER LICENSE SUSPENSION WITH ADDITIONAL MONETARY PENALTIES BEING IMPOSED.

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